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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IFRAAN ALI,

Petitioner,

v.

ANTHONY M. AIELLO, ET AL.,

Respondents.

No. C 07-4700 MMC

PETITIONER'S MOTION FOR  
VOLUNTARY DISMISSAL;  
~~PROPOSED~~ ORDER

Pursuant to Federal Rule of Civil Procedure 41, Petitioner through his undersigned counsel, requests that his habeas petition currently pending before the Court be dismissed. On October 24, 2007, the Board of Immigration Appeals issued a decision sustaining Petitioner's appeal, in which it concluded that Petitioner is not subject to mandatory detention and is, therefore, entitled to a bond hearing. *See* Exh. 1 (*BIA Decision*).

WHEREFORE, Petitioner prays that this Court allow him to voluntarily dismiss his habeas petition, without prejudice.

DATED: November 2, 2007

Respectfully submitted,

/s/


ROBERT B. JOBE  
Law Office of Robert B. Jobe  
Attorney for Petitioner

~~[PROPOSED]~~ ORDER

IT IS HEREBY ORDERED that Petitioner's habeas petition be dismissed without prejudice.

IT IS SO ORDERED.

DATED: November 6, 2007

  
MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE